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**UNITED STATES DISTRICT COURT
DISTRICT OF UTAH
CENTRAL DIVISION**

KATHY TAYLOR,

Plaintiff,

CASE NO. 2:11-cv-00471

v.

GENPACT SERVICES, LLC,

Defendant.

COMPLAINT

Plaintiff, KATHY TAYLOR (Plaintiff), through her attorneys, STEVEN D. CRAWLEY, and KROHN & MOSS, LTD., alleges the following against, Defendant, GENPACT SERVICES, LLC, (Defendant):

INTRODUCTION

1. Count I of Plaintiff's Complaint is based on the Fair Debt Collection Practices Act, 15 U.S.C. 1692 *et seq.* (FDCPA).

JURISDICTION AND VENUE

2. Jurisdiction of this court arises pursuant to 15 U.S.C. 1692k(d), which states that such actions may be brought and heard before "any appropriate United States district court without regard to the amount in controversy."

3. Defendant conducts business in the state of Utah, and therefore, personal jurisdiction is established.
4. Venue is proper pursuant to *28 U.S.C. 1391(b)(2)*.

PARTIES

5. Plaintiff is a natural person residing in Fountain Green, Sanpete County, Utah.
6. Plaintiff is a consumer as that term is defined by *15 U.S.C. 1692a(3)*, and according to Defendant, Plaintiff allegedly owes a debt as that term is defined by *15 U.S.C. 1692a(5)*.
7. Defendant is a debt collector as that term is defined by *15 U.S.C. 1692a(6)*, and sought to collect a consumer debt from Plaintiff.
8. Defendant is a collection agency with a business office in New York, New York.
9. Defendant acted through its agents, employees, officers, members, directors, heirs, successors, assigns, principals, trustees, sureties, subrogees, representatives, and insurers.

FACTUAL ALLEGATIONS

10. Defendant is attempting to collect a consumer debt from Plaintiff.
11. Plaintiff's alleged debt owed arises from transactions for personal, family, and household purposes.
12. Within the last year, Defendant called Plaintiff on Plaintiff's home telephone (435-445-3464) in an attempt to collect a debt.
13. Defendant calls from 513-698-2376, 513-322-0211, and requests Plaintiff to call back at 877-704-2248. These telephone numbers belong to Defendant.
14. Defendant placed telephone calls to Plaintiff multiple times in one day in an attempt to collect a debt on the following dates: April 18-26, 2011.

15. Within the last year, Defendant left a message for Plaintiff, in an attempt to collect a debt, that did not state the communication was from a debt collector (Defendant's transcribed message is attached as Exhibit A).

COUNT I
DEFENDANT VIOLATED THE FAIR DEBT COLLECTION PRACTICES ACT

16. Defendant violated the FDCPA based on the following:

- a. Defendant violated §1692d of the FDCPA by engaging in conduct that the natural consequences of which was to harass, oppress, and abuse Plaintiff in connection with the collection of an alleged debt.
- b. Defendant violated §1692d(5) of the FDCPA by causing a telephone to ring repeatedly and continuously with the intent to annoy, abuse, and harass Plaintiff.
- c. Defendant violated §1692e of the FDCPA by using false, deceptive, and misleading representations in connection with the collection of any debt.
- d. Defendant violated §1692e(10) of the FDCPA by using deceptive means in an attempt to collect a debt.
- e. Defendant violated §1692e(11) of the FDCPA by failing to disclose in subsequent communications that the communication was from a debt collector.

WHEREFORE, Plaintiff, KATHY TAYLOR, respectfully requests judgment be entered against Defendant, GENPACT SERVICES, LLC, for the following:

17. Statutory damages of \$1,000.00 pursuant to the Fair Debt Collection Practices Act, *15 U.S.C. 1692k*,
18. Costs and reasonable attorneys' fees pursuant to the Fair Debt Collection Practices Act, *15 U.S.C. 1692k*
19. Any other relief that this Honorable Court deems appropriate.

DEMAND FOR JURY TRIAL

PLEASE TAKE NOTICE that Plaintiff, KATHY TAYLOR, demands a jury trial in this cause of action.

RESPECTFULLY SUBMITTED,

DATED: May 24, 2011

By: /s/ Steven D. Crawley
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VERIFICATION OF COMPLAINT AND CERTIFICATION

STATE OF UTAH

Plaintiff, KATHY TAYLOR, says as follows:

1. I am the Plaintiff in this civil proceeding.
2. I have read the above-entitled civil Complaint prepared by my attorneys and I believe that all of the facts contained in it are true, to the best of my knowledge, information and belief formed after reasonable inquiry.
3. I believe that this civil Complaint is well grounded in fact and warranted by existing law or by a good faith argument for the extension, modification or reversal of existing law.
4. I believe that this civil Complaint is not interposed for any improper purpose, such as to harass any Defendant(s), cause unnecessary delay to any Defendant(s), or create a needless increase in the cost of litigation to any Defendant(s), named in the Complaint.
5. I have filed this Complaint in good faith and solely for the purposes set forth in it.
6. Each and every exhibit I have provided to my attorneys which has been attached to this Complaint is a true and correct copy of the original.
7. Except for clearly indicated redactions made by my attorneys where appropriate, I have not altered, changed, modified or fabricated these exhibits, except that some of the attached exhibits may contain some of my own handwritten notations.

Pursuant to 28 U.S.C. § 1746(2), I, KATHY TAYLOR, hereby declare (or certify, verify or state) under penalty of perjury that the foregoing is true and correct.

Dated: May 18, 2011
KATHY TAYLOR

EXHIBIT A

Kathy Taylor v. Genpact Services, LLC

Hi, this message is solely intended for Kathy Taylor. This is Mrs. Cooper calling from Genpact Services. Our call back number is 1-877-704-2248, please call us back _____. Have a nice day. Bye.